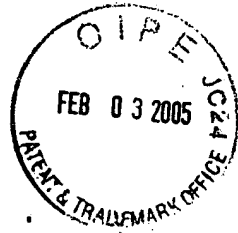


3621
SPW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Applicants: Michael M. HSU, Dennis J. MCMAHON and Donald J. SPENCER
Assignee: Rioport.com Inc.
Title: Expiring Content On Playback Devices
Application No.: 09/974,946 Filing Date: October 9, 2001
Examiner: C. Sherr Group Art Unit: 3621
Docket No.: M-15638 US Confirmation No.: 7652

San Jose, California
January 31, 2005

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§1.56, 1.97 and 1.98**

Sir:

Pursuant to 37 CFR § 1.56, § 1.97 and § 1.98, the documents listed on the accompanying form PTO-1449 are called to the attention of the Examiner for the above patent application.

Citation of these documents shall not be construed as:

- (1) an admission that the documents are necessarily prior art with respect to the instant invention;
- (2) a representation that a search has been made, other than as described above; or
- (3) an admission that the information cited herein is, or is considered to be material to patentability.

Enclosed with this statement are the following:

- ☒ Form PTO-1449 (*Substitute*). The Examiner is requested to initial the form and return it to the undersigned in accordance with M.P.E.P. §609.
- ☒ A copy of each cited document as required by 37 C.F.R. §1.98 (*except where otherwise indicated*).

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Complete copies are not submitted of U.S. patents and U.S. patent application publications per 37 C.F.R. §1.98(a)(2)(ii), and copies are not submitted of documents already cited or submitted in a parent application from which benefit under 35 U.S.C. §120 is claimed per 37 C.F.R. §1.98(d).

This statement should be considered because:

- ☐ This statement qualifies under 37 C.F.R. §1.97, subsection (b) because:
- ☐ It is being filed within 3 months of the application filing date of a national application other than a continued prosecution application under §1.53(d);
-- OR --
 - ☐ It is being filed within 3 months of entry of the national stage as set forth in §1.491 in an international application;
-- OR --
 - ☐ It is being filed before the mailing date of a first Office action *on the merits*;
-- OR --
 - ☐ It is being filed before the mailing date of a first Office action *after the filing of an RCE under §1.114*.

whichever occurs last.

- ☒ Although it may not qualify under subsection (b), this statement qualifies under 37 C.F.R. §1.97, subsection (c) because:

- (1) It is being filed before the mailing date of a FINAL Office Action and before a Notice of Allowance or another action closing prosecution (whichever occurs first);
-- AND (check at least one of the following) --
- ☒ (1) It is accompanied by the \$180 fee set forth in 37 C.F.R. §1.17(p);
-- OR --
- ☐ (2) It is accompanied by a STATEMENT as set forth in 37 C.F.R. §1.97(+e).

- ☐ Although it may not qualify under subsections (b) or (c), this statement qualifies under 37 C.F.R. §1.97, subsection (d) because:

- (1) It is accompanied by a STATEMENT as set forth in 37 C.F.R. §1.97(e);
-- AND --
- (2) It is accompanied by the fee set forth in 37 C.F.R. §1.17(p);
-- AND --
- (3) It is filed on or before payment of the Issue Fee.

- ☒ **Fee Authorization.** The Commissioner is hereby authorized to charge any additional fee(s), charge any underpayment of fee(s), or credit any overpayment associated with this communication to Deposit Account No. 50-2257. A duplicate copy of this authorization is enclosed.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on January 31, 2005.

H. Matsubayashi

Attorney for Applicant(s)

1/31/05

Date of Signature

Respectfully submitted,

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U.S. Department of Commerce, Patent and Trademark Office

Atty Docket No.

Serial No.

M-15638 US

09/974,946

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Applicants

(Use several sheets if necessary)

Michael M. HSU et al.

Filing Date

Group

October 9, 2001

3621

U.S. Patent Documents

*Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate
	AA	4,433,207	02/1984	Best			
	AB	5,034,980	07/1991	Kubota			
	AC	5,629,980	05/1997	Stefik et al.			
	AD	6,002,772	12/1999	Saito			
	AE	6,226,618	05/2001	Downs et al			
	AF	6,236,971	05/2001	Stefik et al.			
	AG	6,314,518	11/2001	Linnartz			
	AH	6,367,019	04/2002	Ansell et al.			
	AI	6,389,403	05/2002	Dorak, Jr.			
	AJ	6,397,333	05/2002	Sohne et al.			
	AK	6,398,245	06/2002	Gruse et al.			

Foreign Patent Documents

							Translation	
		Document	Date	Country	Class	Subclass	Yes	No
	AL							
	AM							
	AN							
	AO							
	AP							

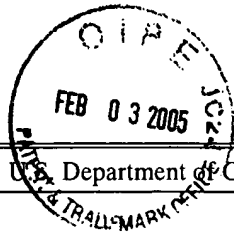
OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

	AQ	
	AR	
	AS	

Examiner

Date Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with your communication to applicant.



U.S. Department of Commerce, Patent and Trademark Office					Atty Docket No.		Serial No.	
					M-15638 US		09/974,946	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT					Applicants			
(Use several sheets if necessary)					Michael M. HSU et al.			
					Filing Date		Group	
					October 9, 2001		3621	
U.S. Patent Documents								
*Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate	
	AA	6,473,560	10/2002	Linnartz et al.				
	AB	6,513,117	01/2003	Tarpenning et al.				
	AC	6,567,916	05/2003	Terao et al.				
	AD	6,574,609	06/2003	Downs et al.				
	AE	6,587,837	07/2003	Spagna et al.				
	AF	6,587,842	07/2003	Watts				
	AG	6,601,046	07/2003	Epstein				
	AH							
	AI							
	AJ							
	AK							
Foreign Patent Documents								
							Translation	
		Document	Date	Country	Class	Subclass	Yes	No
	AL							
	AM							
	AN							
	AO							
	AP							
OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)								
	AQ							
	AR							
	AS							
Examiner			Date Considered					
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